

## **REMARKS**

The Office Action dated November 30, 2005 has been received and carefully noted. The above amendments to the claims and the following remarks are submitted as a full and complete response to the Office Action.

Claims 21, 37, 38 and 40 are amended to particularly point out and distinctly claim the subject matter of the invention. Entry of the Amendments is respectfully requested because the Amendments place the application in better condition for allowance or appeal, do not raise new issues that require further consideration and/or search, and do not contain new matter. Applicants gratefully acknowledge the indication in the Office Action that claims 29 would be allowable if rewritten into independent form. Applicants respectfully submit that this claim is allowable in its present form the reasons set forth below. Claims 1-46 are respectfully submitted for consideration.

The Office Action rejected claims 1-8, 10-28 and 32-46 under 35 U.S.C. 102(e) as being anticipated by US Publication No. 2003/0078031 to Masuda (Masuda). Applicants respectfully submit that the cited reference fails to disclose or suggest all of the features of any of the pending claims.

Claim 1 from which claims 2-20 depend recites a communications system. The communications system includes at least one user device, said at least one user device configured to access a plurality of services in a session. The communications system further includes a first entity including an information store for storing information defining an amount of money for said at least one user device. The communications

system further includes and a controller, separate to said first entity, for requesting at least a portion of said amount of money to be reserved as a reserved portion and for controlling an allocation of said reserved portion between said plurality of services.

Claim 21 from which claims 22-34 depend, recites a communications system. The communications system includes at least one user device, said at least one user device being configured to access a plurality of services simultaneously. The communications system further includes a first entity for storing information defining an amount of money for said at least one user device. Further, the communications system includes a controller for requesting reservation of at least a portion of said amount of money as a reserved portion, and controlling an allocation of said reserved portion between said plurality of services. In the communications system said first entity is configured to send to said controller information defining an amount of said reserved portion in a first form other than a monetary amount, and said controller is arranged to convert information relating to said amount of said reserved portion to a second form as a monetary amount.

Claim 35 recites a communications method. The method includes accessing a plurality of services in a session, and storing at a first entity, information defining an amount of money for at least one user device. The method further includes requesting at a controller separate from the first entity, at least a portion of the amount of money to be reserved as a reserved portion, and controlling at the controller an allocation of the reserved portion between the plurality of services.

Claim 36 recites a controller for use in a communications system. The controller includes at least one user device, the at least one user device being configured to access a plurality of services in a session. The controller further includes an information store for storing information at a first entity defining an amount of money for the at least one user device, the controller being separate from first entity and being configured to request at least a portion of the amount of money to be reserved as a reserved portion and to control an allocation of the reserved portion between the plurality of services.

Claim 37 recites a communications method. The method includes accessing a plurality of services simultaneously, and storing information defining an amount of money for at least one user device. The method further includes requesting a reservation of at least a portion of said amount of money as a reserved portion. The method further includes sending to a controller for allocating said reserved portion between said plurality of services information defining an amount of said reserved portion in a first form other than a monetary amount, and converting information relating to said amount of said portion to a second form as a monetary amount, and then allocating said reserved portion between said plurality of services.

Claim 38 recites a controller for use in a communications system. The communications system includes at least one user device, said at least one user device being configured to access a plurality of services simultaneously. The communications system further includes a first entity for storing information defining an amount of money for said at least one user device, said controller being configured to request a reservation

of at least a portion of said amount of money as a reserved portion, to convert information defining an amount of said reserved portion in a first form other than a monetary amount received from said first entity to a second form as a monetary amount, and to then control an allocation of said reserved portion between said plurality of services.

Claim 39 recites Independent claim 39 recites another embodiment of a communications system. The communication system includes accessing means for accessing a plurality of services in a session, and storing means for storing at a first entity, information defining an amount of money for at least one user device. The communications system further includes requesting means separate from the first entity, for requesting at least a portion of the amount of money to be reserved as a reserved portion, and controlling means separate from the first entity, for controlling an allocation of the reserved portion between the plurality of services.

Claim 40, from which claims 41-46 depend, recites another embodiment of a communications system. The communications system includes accessing means for accessing a plurality of services simultaneously, storing means for storing information defining an amount of money for at least one user device. The communications system further includes requesting means for requesting a reservation of at least a portion of the amount of money as a reserved portion, sending means for sending information defining an amount of the reserved portion in a first form other than as a monetary amount, and control means for converting information relating to the amount of the portion to a

second form as a monetary amount and controlling an allocation of said reserved portion between said plurality of services..

Applicants submit that the pending claims recite features that are neither disclosed nor suggested in any of the cited references.

Masuda relates to a communication system. Masuda describes a technique for allocating a pre-paid balance between a plurality of services such as a voice service and a packet communication service, where a prepayment control device both stores the pre-paid balance and allocates portions of the balance to the plurality of services. See paragraph [0014] of Masuda.

Applicants submit that Masuda fails to disclose or suggest all of the features recited in the pending claims. Specifically, regarding claims 1, 35, 36, and 39 Masuda fails to disclose or suggest at least the feature of a controller, separate to the first entity, for requesting at least a portion of the amount of money to be reserved as a reserved portion and for controlling an allocation of the reserved portion between the plurality of services, as recited in claim 1 and similarly recited in claims 35, 36 and 39.

The Office Action took the position in relation to these claims that the user requesting means 21 and prepayment control means 22 of US2003/0078031 (shown as separate blocks in Figure 1 of Masuda constitute the first entity and controller of these claims. However, in the system illustrated in Figure 1 of Masuda it is the prepayment control means 22 that carries out both the function of storing information defining a balance for the user device and the function of controlling the allocation of the balance

between a plurality of services. Accordingly, the user request receiving means 21 does not correspond to either the controller or the first entity in these claims, as alleged in the Office Action.

The Office Action further alleged that separating the first entity and controller of these claims would in any case have been obvious since the specification makes no disclosure of how the same solves any problem.

Applicants respectfully direct the Examiner to the section at the top of page 7 of the description of the present application, which mentions the problem that the entity responsible for storing the amount in some UMTS systems may use a protocol which does not handle monetary amounts, and explains how the provision of a separate controller allows such storing entity to be continued to be used even where a user accesses a plurality of services in a session.

Regarding claims 21, 37, 38 and 40 Applicants respectfully submit that Masuda fails to disclose or suggest at least the feature of sending information defining and amount of the reserved portion in a form other than a monetary amount, and then converting said information into a second form as a monetary amount as recited in the above claims.

The Office Action took the position that this feature is disclosed in Masuda in that the prepayment control means making a determination as to whether or not the current balance is sufficient to transfer all packets that the user wishes to transfer. The Office Action appears to take the position that it follows that there must be some conversion of

the user's balance into the corresponding maximum volume of data or number of data packets that could be transferred without exceeding the balance. Applicants respectfully traverse this reasoning for the reasons discussed below.

First, it does not necessarily follow that the user's balance is converted into the corresponding maximum volume of data or number of data packets in order to make a determination as to whether the balance is sufficient for the transfer of all requested data/data packets. It could be that the amount of data or data packets is converted into a monetary amount and that this monetary amount is compared against the user's balance.

Secondly, Masuda does not in any case disclose or suggest the feature of sending information defining a reserved portion in a non-monetary form from a first storing entity (prepayment control means 22 in Masuda) to a controller for controlling the allocation of said reserved portion between a plurality of services. In Masuda, it is always the prepayment control means 22 that controls the allocation of the user's balance between a plurality of services, and there is no disclosure or suggestion in Masuda that the prepayment control means is sent information defining the user's balance in a non-monetary form.

The Office Action, on page 4 suggested that the features of the first entity and the controller in the system should be pointed out and to define the phrase "a first form other than a monetary amount."

Applicants respectfully submit that these features are clearly defined as follows.

The “first entity” is the service control point (SCP) 20, otherwise referred to as External Balance Handler (EBH) is defined at least in paragraph [0028] in the written description of the present invention. The “controller” is defined as an online service controller (OSC) 18 at least in paragraph [0027] of the specification of the present invention. Further, the phrase “first form other than a monetary amount” = data volume associated with amount to be reserved” is defined at least in paragraph [0043].

Further, Applicants respectfully submit that this invention makes the technical contribution of allowing a storing entity that cannot handle monetary amounts to be continued to be used where a user accesses a plurality of services in a session, which is not disclosed or suggested in the cited reference.

Applicants respectfully submit that because claims 2-8, 10-20, 22-34, and 41-46 depend from claims 1, 21 and 40 respectively, these claims are allowable at least for the same reasons as claims 1, 21 and 40. Further Applicants respectfully submit that Masuda fails to disclose or suggest all of the features of these dependent claims.

Based at least on the above, Applicants submit that the cited reference fail to disclose or suggest all of the features recited in any of the pending claims. Accordingly, withdrawal of the rejection of claims 1-8, 10-28 and 32-46 under 35 U.S.C. §102(e) is respectfully requested.

The Office Action rejected claim 9 under 35 U.S.C. §103(a) as being obvious over Masuda, in view of US Publication No. 2004/0203585 to Wills et al. (Wills). The Office Action took the position that Masuda disclosed all of the features recited in claim 9

except the feature of the reserved amount is monitored by periodically determining how much of said reserved portion each of said plurality of services have used to provide a plurality of values and summing the plurality of values. The Office Action asserts that Wills disclosed this feature. Applicants submit that the cited references, taken individually or in combination, fail to disclose or suggest all of the features recited in claim 9.

Specifically, Applicants submit that because claim 9 depends from claim 1, Masuda is deficient at least for the same reasons stated regarding claim 1 and Wills fails to cure these deficiencies.

Wills is directed to a system and method to enable the user and/or the responsible party to make payments as the user uses the telecommunication services. Wills fails to mention, disclose or suggest storing the pre-paid balance at an entity, separate to where the allocation of the reserved portion is controlled. Thus, Wills fails to cure the deficiencies of Masuda.

Based at least on the above, Applicants submit that the cited references taken individually or in combination fail to disclose or suggest all of the features recited in claim 9. Accordingly, withdrawal of the rejection of claim 9 under 35 U.S.C. §103(a) is respectfully requested.

The Office Action rejected claim 30 under 35 U.S.C. §103(a) as being obvious over Masuda, in view of US Pub. No. 2003/0037176 to Dannehr et al. (Dannehr). The Office Action took the position that Masuda disclosed all of the features of claim 30

except the feature of a first entity that operates in accordance with a CAMEL protocol. The Office Action asserted that Dannehr disclosed this feature. Applicants respectfully submit that the cited references taken individually or in combination fail to disclose or suggest all of the features recited in claim 30.

Specifically, because claim 30 depends from claim 21, Masuda is deficient at least for the same reasons stated above regarding claim 21, and Dannehr fails to cure these deficiencies.

Dannehr is directed to message transmission between telecommunications network elements that are involved in Multimedia Service (MMS). Dannehr fails to mention, disclose or suggest the feature of a first entity that is configured to send information defining an amount of the reserved portion in a first form other than a monetary amount and the controller is arranged to convert information relating to the amount of the reserved portion to a second form as a monetary amount. Therefore, Dannehr fails to cure the deficiencies of Masuda.

Based at least on the above, Applicants submit that the cited references taken individually or in combination, fail to disclose or suggest all of the features recited in claim 30. Accordingly, withdrawal of the rejection of claim 30 under 35 U.S.C. §103(a) is respectfully requested.

The Office Action rejected claim 31 under 35 U.S.C. §103(a) as being obvious over Masuda, in view of US Publication No. 2002/0116338 to Gonthier et al (Gonthier). The Office Action took the position that Masuda disclosed all of the features recited in

claim 31 except the feature of a controller that operates in accordance with the RADIUS protocol. The Office Action asserted that Gonthier disclosed this feature. Applicants submit that the cited references taken individually or in combination, fail to disclose or suggest all of the features recited in claim 31.

Specifically, because claim 31 depends from claim 21, Masuda is deficient at least for the same reasons stated above regarding claim 21, and Gonthier fails to cure these deficiencies.

Gonthier is directed to prepaid access to an Internet Protocol (IP) network. A server that manages access to the network has a protocol client to support pre-paid functionality. Gonthier fails to mention, disclose or suggest the feature of a first entity that is configured to send information defining an amount of the reserved portion in a first form other than a monetary amount and the controller is arranged to convert information relating to the amount of the reserved portion to a second form as a monetary amount. Therefore, Gonthier fails to cure the deficiencies of Masuda.

Based at least on the above, Applicants submit that the cited references taken individually or in combination, fail to disclose or suggest all of the features recited in claim 31. Accordingly, withdrawal of the rejection of claim 31 under 35 U.S.C. §103(a) is respectfully requested.

The Office Action objected to claim 29 as being dependent from a rejected base claim, but would be allowable if rewritten into independent form. Applicants submit that because claim 29 in its present form depends from claim 21, claim 29 is allowable at least

for the same reasons discussed above regarding claim 21. Accordingly, withdrawal of the objection to claim 29 is respectfully requested.

Applicants submit that each of claims 1-46 recite features that are neither disclosed nor suggested in any of the cited references. Accordingly, Applicants request that claims 1-46 be allowed and this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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